

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

IN RE:

**VPR OPERATING, LLC

DEBTOR**

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**Case No. 13-10599

Chapter 11**

NOTICE OF PERFECTION OF LIEN PURSUANT TO SECTION 546(b)

COMES NOW Schlumberger Technology Corporation (“Schlumberger”), and files this Notice pursuant to 11 U.S.C. § 546(b) of the perfection, maintenance or continuation of perfection of privileges/liens against the Debtor’s interest in mineral property as described herein, together with all hydrocarbons produced therefrom and proceeds of production, pursuant to the laws of the state of New Mexico. In support of this Notice, Schlumberger will show the following:

1. Overview. Schlumberger furnished goods, materials, supplies, machinery, equipment and labor under contract with the Debtor in connection with oil and gas operations conducted by VPR Operating, LLC (“VPR” or “Debtor”) in the state of New Mexico for which Schlumberger has not been paid. The principal indebtedness in connection with the unpaid amounts due and owing on the Debtor’s trade account with Schlumberger is not less than \$49,951.10, exclusive of contractual interest, attorneys’ fees and costs. Schlumberger’s claim is secured by the statutory mineral liens described below.

2. New Mexico M&M Lien Claims. Schlumberger timely filed the below described lien statement (the “Subject M&M Lien”) against the following oil and gas well and associated

oil and gas leases, leasehold interests, units, property, equipment, oil and gas produced and proceeds thereof (collectively the “Subject Property”):

<u>County</u>	<u>Lease</u>	<u>Well Name</u>	<u>Lien Amount</u>	<u>Lien Inception Date</u>	<u>Date Lien Recorded</u>	<u>Recording Information</u>
Lea	NMNM-108972 NMNM-108973	Harrier Federal Com 1H	\$49,951.10	08/01/2012	01/24/2013	Instrument # 00833 Bk 1815; Pg 959

* A copy of the Subject M & M Lien encumbering Debtor’s property is attached and filed with the Schlumberger Proof of Claim.

3. Lien Rights under New Mexico Law. The Subject M&M Lien attaches to and encumbers the whole of that land, oil and gas permit, leasehold, lease for oil and gas purposes, oil pipeline, gas pipeline, or gasoline pipeline, and right-of-way therefor, the buildings and equipment thereon, and the appurtenances thereto, the proceeds from the sale of oil and gas produced therefrom inuring to the working interest, and upon the materials, tools, machinery, equipment and supplies so furnished or hauled, and upon the oil and gas well for which they were furnished or hauled, and upon all the other oil and gas wells, fixtures, machinery, tools, equipment and appliances, used or employed in operating or developing, for oil and gas purposes, upon the land, oil and gas permit, leasehold, or lease for oil and gas purposes and any other property provided for in N.M. Stat. Ann. § 70-4-1 (2012), *et seq.*

4. Real Property Interests Encumbered. The Subject M&M Lien attaches to and encumbers 100% of the operating interest in the above-described Subject Property as well as (i) the interest of any lessee or mineral property owner on whose behalf the contracting party contracted with Schlumberger; (ii) the interest of any interest owners who recorded an assignment after the applicable mineral lien inception date; and (iii) the interest of any interest owners without recorded assignments as of the applicable mineral lien inception date.

5. Lien Perfection under New Mexico Law. Pursuant to N.M. Stat. Ann. §70-4-1(292) *et seq.*, Schlumberger's Subject M&M Lien creates interests in property that are permitted to be perfected and are effective against an entity that acquires rights in the Subject Property before the date of perfection. Specifically, "the lien hereby given shall attach as of the date on which the first of the materials, tools, machinery, equipment or supplies is furnished or hauled, or the first day labor is performed." NM. Stat. Ann §70-4-1(2012).

6. Notice. Schlumberger may be required under applicable state law to file suit or take other actions to (i) perfect, maintain or continue perfection of its mineral lien or (ii) to foreclose its mineral liens. **Schlumberger hereby gives notice in lieu of commencement of such actions to perfect, maintain or continue perfection of Schlumberger's interest in the Subject Property pursuant to 11 U.S.C. § 546(b), including but not limited to the filing of a lawsuit to enforce and/or foreclose the Subject M&M Lien, the filing of any lis pendens, or the service of notice on purchasers of production of hydrocarbons from the Subject Property. By virtue of this notice and applicable law, Schlumberger demands adequate protection of its interests in the Subject Property.**

7. Reservation of Rights. Schlumberger reserves the right to supplement and/or amend this Notice. Schlumberger further reserves all rights under applicable law.

Respectfully submitted,

By: /s/ Holly C. Hamm

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CERTIFICATE OF SERVICE

I certify that on the 23rd day of April 2013, a true and correct copy of the above and foregoing was served upon all parties via ECF and/or certified mail return receipt requested.

/s/Holly C. Hamm

Holly C. Hamm